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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,155	12/20/2001	Stuart Goose	112740-392	5596

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EXAMINER
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ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 11/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 May 2002*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 December 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
    application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date *12/20/01*.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

1.   This action is responsive to communications: Change of address filed on 5/14/02.

2.   Claims 1 – 11 are pending in the case. Claims 1 and 10 are independent.

Specification

3.   The disclosure is objected to because it contains an embedded hyperlink and/or

other form of browser-executable code. For example, on page 8, lines 21 – 22.

Applicant is advised that this is not an exhaustive list. Consequently, Applicant is

suggested to add left and right brackets or quotation marks on each side of every

hyperlink to deactivate it or Applicant is required to delete the embedded hyperlink

and/or other form of browser-executable code. See MPEP § 608.01.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1 – 5, 10, and 11 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Maes et al. (US006801604B2).

6.   **Regarding independent claim 1**, Maes et al. teach that *a web application*

server 125 and backend 126 provide the necessary pages (IML, VoiceXML, HTML, etc)

and business logic/scripts for processing and retrieving data (Column 19, lines 41 – 44),

which provide for **transmitting a structured document which is generated with a**

format-based editor to the WWW server; storing the structured document in the

WWW server with an access information item. Maes et al. also teach that *the application framework illustrated in FIG. 3c comprises an XML-based FDM application 34. The application 34 comprises a VoiceXML browser 35, a DOM (document object model) layer 36 (that provides at least access to the interaction events and allows update of the presentation (through page push or DOM mutation), a wrapper layer 37 a multi-modal shell 38 and FDM 39. In this framework, the FDM 39 uses the VoiceXML browser 35 for audio I/O management and speech engine functions. Following a Web programming model, the FDM 39 submits messages for backend calls and scripts. The multi-modal shell 38 supports launching of objects or managing the forms and sending snippets to the VoiceXML browser 35. It provides the line between the VoiceXML browser 35 and the FDM 39 for audio I/O and engine management* (Column 11, line 66 – Column 12, line 13), which provide for **transferring the structured document to the information host computer when structured documents are accessed via the speech-based browser and the access information is present; analyzing the structured document in the information host computer**. Maes et al. do not explicitly teach **modifying instructions** ... However, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify and/or use the invention of Maes et al. to provide for **modifying instructions for graphic structuring into instructions for an audible output form in the structured document**, since Maes et al. teach *systems and methods for conversational computing* (Abstract) and the skilled artisan wants to fully utilize the capabilities of the VoiceXML browser disclosed by Maes et al., giving the user an audio output from an XML web page.

7.   **Regarding dependent claim 2**, Maes et al. teach that *an exemplary proxy*

framework is shown in FIG. 17, wherein a thin terminal 150 (having a audio I/O web

service with simplified or optimized API or protocol communicates with a web service

152 (engine web service) through a proxy 151 (Column 25, lines 18 – 22), which

provide that **the information host computer has functions of a proxy server.**

8.   **Regarding dependent claim 3**, Maes et al. teach that *instead of wrappers, it is*

possible to use other interfaces or mechanisms that rely on the same principles. For

example, it is possible to load in the user agents (or in the pages) an ECMAScript library

that capture DOM events that result from the user interaction and handle them by

sending them to the multimodal shell (Column 12, lines 60 – 65), which provide that **the**

structured document is generated with an integration of at least one of software

libraries and references to the software libraries.

9.   **Regarding dependent claim 4**, Maes et al. teach that *preferably, a mechanism*

is employed to immediately identify if an end-point supports the default codec and

scheme or not. Further, a mechanism is preferably employed to describe arbitrary (i.e.

non default and non-parameterized) DSR schemes (e.g. XPath namespace

conventions) (see the proposed naming convention above) (Column 38, lines 58 – 63),

which provide that **conventions defined by the format-based editor for references**

to at least one of structured documents and files within a structured document

are necessary when editing the structured document.

10.   **Regarding independent claim 5**, Maes et al. teach that *a web application*

server 125 and backend 126 provide the necessary pages (IML, VoiceXML, HTML, etc)

and business logic/scripts for processing and retrieving data (Column 19, lines 41 – 44),

which provide that **the instructions in the structured document which is stored in**

the WWW server are in HTML format.

11.   **Regarding independent claim 10**, the claim incorporates substantially similar

subject matter as claim 1, and is rejected along the same rationale.

12.   **Regarding dependent claim 11**, the claim incorporates substantially similar

subject matter as claim 2, and is rejected along the same rationale.

13.   Claims 6 – 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Maes et al. (US006801604B2) as applied to claims 1 – 5, 10 and 11 above, and further

in view of Hamada et al. (US 20020078105A1).

14.   **Regarding dependent claims 6 – 9**, Maes et al. do not explicitly teach

converting. However, Hamada et al. do teach that *a mechanism for carrying out the*

structurally equivalent HTML-XML conversion by using HTML-DOM (Document Object

Model) and XML-DOM at a time of extraction is introduced. Using this, the HTML

document can be handled as the XML document so that all the processings can be

carried out with respect to the XML (page 5, paragraph 0078, lines 12 – 17), which

provide that **the instructions of the structured document are converted into**

instructions in XML format in the information host computer, that **for the**

conversion of the instructions from the HTML format into the XML format, an

analysis device converts the instructions in the HTML format into objects using

an HTML-DOM programming interface, that **a transformation device exchanges**

objects with the analysis device and converts the objects into the instructions in the XML format using an XML-DOM programming interface to a structured document based on XML instructions, and that **library files are used in the conversion of the objects by the transformation device**. It would have been obvious to one of ordinary skill in the art to combine the invention of Maes et al. with that of Hamada et al. because such a combination would provide the users of Maes et al. with the benefit of *a document editing method for editing parts of contents of one or a plurality of first documents described by any markup language on a World wide web (WWW) in Internet into a second document described by a specific markup language on the WW* (page 2, paragraph 0032, lines 2 – 5).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Hillery whose telephone number is (571) 272-4091. The examiner can normally be reached on M - F, 10:30 a.m. - 7:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

JOSEPH FEILD
SUPERVISORY PATENT EXAMINER

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